

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON
EUGENE DIVISION**

Elizabeth HUNTER; et al., on behalf of themselves and all others similarly situated,)	
)	
Plaintiffs,)	Civil Action No. 6:21-cv-00474-AA
v.)	
)	DECLARATION OF JOANNA
U.S. DEPARTMENT OF EDUCATION and)	MAXON
Suzanne GOLDBERG, in her official capacity as)	
Acting Assistant Secretary for Civil Rights,)	
U.S. Department of Education,)	
)	
Defendants.)	

I, Joanna Maxon, declare:

1. I am over 18 years of age and have personal knowledge of the matters stated in this declaration and would testify truthfully to them if called upon to do so.
2. I am a resident of Hurst, Texas, located in Tarrant County.
3. I am a wife and mother.
4. I am a Christian and part of the United Methodist Church.
5. Beginning in March 2015, I attended Fuller Theological Seminary online with its main campus located in Pasadena, California. I also attended some classes in person at its Texas campus in Houston.
6. I attended until October 2018.
7. My plan was to obtain a Master of Arts in Theology degree from Fuller to learn more about my faith but to also advance my career.
8. Students who enroll in the MAT degree program pursue the degree to enhance their leadership skills for use in a variety of professions, including ministry, business, nonprofit work, and the arts.
9. I was very proud of getting into Fuller and this degree program.
10. Earlier in my life, I struggled to finish life goals. That changed later in my life. In pursuing my degree at Fuller, it was really important to me that I finish the program. I was fully committed to that goal. I was passionate about my classes and they gave me tremendous joy.

11. However, I did not graduate from Fuller because I was suddenly expelled for my sexuality and my same-sex marriage.
12. Despite being denied a degree, I am still repaying the federal student loans from the U.S. Department of Education that I took out to enroll at Fuller.
13. Fuller has a policy against unlawful discrimination. In this policy, the school says that it does not discriminate on the basis of "race, color...sex, marital status...gender, gender identity, gender expression."
14. The same statement also says, "Fuller Theological Seminary does not unlawfully discriminate on the basis of sexual orientation. The seminary does lawfully discriminate on the basis of sexual conduct that violates the Community Standard Statement on Sexual Standards. The seminary believes that sexual union must be reserved for marriage, which is a covenant union between one man and one woman. The seminary believes premarital, extramarital, and homosexual forms of sexual conduct to be inconsistent with the teachings of scripture. Therefore, the seminary expects members of its community to abstain from what it holds to be unbiblical sexual practices."
15. Fuller Theological Seminary does not expressly forbid students from marrying students of the same sex.
16. Fuller also does not state that the consequence for same-sex marriage would be immediate dismissal.
17. Fuller also has a Community Standard: Sexual Standards policy which states, in part, "Fuller Theological Seminary believes that sexual union must be reserved for marriage, which is the covenant between one man and one woman, and that sexual abstinence is required for the unmarried. The seminary believes that premarital, extramarital, and homosexual forms of explicit sexual conduct to be inconsistent with the teaching of Scripture. Consequently, the seminary expects all members of its community...to abstain from what it holds to be unbiblical sexual practices."
18. I am a pansexual woman.
19. I initially attended Fuller because they had online classes along with a campus in Texas. I also liked Fuller because it had over 150 Christian denominations represented in the student body and is known for progressive stances on immigration, race, and other issues.
20. I felt safe being out about my sexuality with other students and professors at Fuller. I spoke and wrote about my family, including my wife and daughter. None of my professors or other students expressed concern to me about my same-sex marriage.
21. However, I was expelled in 2018 after someone in the Financial Aid Department learned about my same-sex marriage from my tax return. They took it upon themselves to report me to the administration for what they perceived to be a violation of Fuller's policies.

22. However, no investigation was made to determine whether I had committed a homosexual conduct violation, nor were Fuller's own disciplinary procedures followed.
23. During this process, the person who handled my case held the dual roles of investigating Fuller's complaint against me and being responsible for investigating the potential discrimination by Fuller against me. This placed the Title IX officer in a conflict of interest position.
24. I was expelled after the dean of the school determined that my marriage put me in violations of Fuller's Community Standards.
25. I was five classes short of earning my degree from Fuller after three years of hard work.
26. I was immediately withdrawn from the classes I was attending at the time.
27. I was devastated. I felt betrayed by Fuller's actions. I thought the community had welcomed me. I expected at the very least to be treated with more respect and kindness than they showed me.
28. Fuller's expulsion impacted my family life. I had a hard time trusting people, even my own family. I withdrew, both emotionally and physically, from my wife and daughter as a result of the harm I experienced. This was hard for my wife and teenage daughter.
29. I spent nearly a year of holding the pain and anger inside and not talking with friends or a therapist about it because I was not emotionally able to face what Fuller had done to me.
30. My work performance was also impacted by the stress of my expulsion. I was not able to be fully present as an employee.
31. Eventually, I sought counselling for my expulsion. This counselling has brought up other areas of rejection and betrayal from my childhood. My therapy is ongoing.
32. The week I was expelled was also near the anniversary of Matthew Shepard's death and occurred when my church, the United Methodist Church, took an additional rejecting stance on LGBTQ+ people.
33. This compounded rejection was very hard for me emotionally and spiritually. I felt lost and confused.
34. I am participating in this case because I do not want anyone else to be injured in the way I have been. I want to make whatever difference I can for those behind me.
35. I am a federal taxpayer and do not feel that my taxes should be spent in furthering the discrimination against me by Fuller.
36. Pursuant to 28 U.S.C. §1746, I declare under penalty of perjury that the foregoing is true and correct, and that this declaration was executed this 26th day of February, 2021.

By: 
Joanna Maxon